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February 18, 2021

It is hereby ORDERED that Defendant Luckin's request is GRANTED. Luckin and the Underwriter Defendants shall have until March 30, 2021 to file their reply briefs in support of their motions to dismiss. Lead Plaintiffs shall have until May 5, 2021 to file their opposition to Meier's motion to dismiss. Meier shall have until June 4, 2021 to file his reply brief in support of his motion to dismiss.

The Honorable John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

SO ORDERED.

Date: February 18, 2021
New York, New York



JOHN P. CRONAN
United States District Judge

Re: *In re Luckin Coffee Inc. Securities Litigation*, Case No. 20-cv-01293-JPC-JLC

Dear Judge Cronan:

We represent defendant Luckin Coffee Inc. ("Luckin") in the above-referenced matter. We submit this letter motion pursuant to Rule 3(B) of the Court's Individual Rules and Practices to request an extension of the briefing schedule for Luckin's, the Underwriter Defendants',¹ and defendant Thomas P. Meier's motions to dismiss the Consolidated Amended Complaint (ECF Nos. 204, 210, 224, 231) as follows:

- Extend Luckin's and the Underwriter Defendants' deadline to file their reply briefs in support of their motions to dismiss from February 22, 2021 to March 30, 2021;
- Extend Lead Plaintiffs'² deadline to file their opposition to Thomas P. Meier's motion to dismiss from April 5, 2021 to May 5, 2021; and
- Extend Thomas P. Meier's deadline to file his reply brief in support of his motion to dismiss from May 5, 2021 to June 4, 2021.

This is the first request to extend these deadlines and extension of these deadlines does not affect any other scheduled dates in this action. Luckin, the Lead Plaintiffs, the Underwriter Defendants, and Thomas P. Meier have agreed to these extensions in light of a Chapter 15 bankruptcy petition filed on February 5, 2021 (the "Chapter 15 Proceeding"), which seeks a stay of all U.S. litigation against Luckin, including this action.

¹ The Underwriter Defendants are Credit Suisse Securities (USA) LLC, Morgan Stanley & Co. LLC, Needham & Company, LLC, KeyBanc Capital Markets Inc., China International Capital Corporation Hong Kong Securities Limited, and Haitong International Securities Company Limited.

² The Lead Plaintiffs are Sjunde AP-Fonden and Louisiana Sheriffs' Pension and Relief Fund.

In July 2020, the Grand Court of the Cayman Islands appointed Joint Provisional Liquidators to oversee a restructuring of Luckin's indebtedness. Through this process, Luckin and its Joint Provisional Liquidators are attempting to resolve the claims asserted by the Lead Plaintiffs in this action. On February 5, 2021, Luckin's Joint Provisional Liquidators commenced the Chapter 15 Proceeding in the Bankruptcy Court for the Southern District of New York, which has been assigned to Bankruptcy Judge Martin Glenn. See *In re Luckin Coffee Inc. (In Provisional Liquidation)*, No. 21-10228 (MG) (Bankr. S.D.N.Y.). In the Chapter 15 Proceeding, the Joint Provisional Liquidators seek recognition of the Cayman provisional liquidation proceeding, as well as a stay of all litigation in the United States against Luckin and parties indemnified by Luckin (among others) (the "Chapter 15 Stay Request"). Lead Plaintiffs' response to the Chapter 15 Stay Request is due on March 9, 2021. The Bankruptcy Court is scheduled to hold a recognition hearing on the Chapter 15 petition, including the Chapter 15 Stay Request, on March 16, 2021. If the Chapter 15 Stay Request is granted, this action would be stayed and consideration of the defendants' motions (or any other matter) would be prohibited absent modification of the Bankruptcy Court's stay order. Accordingly, in order to conserve the resources of the parties and this Court, Lead Plaintiffs, Luckin, the Underwriter Defendants, and Thomas P. Meier have conferred and agreed to extend the briefing schedule for the motions to dismiss the Consolidated Amended Complaint until after the Bankruptcy Court rules on the Chapter 15 Stay Request.³

Lead Plaintiffs, the Underwriter Defendants, and Thomas P. Meier each consent to this request.

In light of the foregoing, we respectfully request that the Court grant this letter motion to extend the briefing schedule on defendants' motions to dismiss.

Respectfully submitted,

/s/ Lawrence Portnoy

Lawrence Portnoy

Electronic Filing

cc: All counsel of record (via ECF)

³ In the event the Bankruptcy Court does not resolve the Chapter 15 Stay Request during the March 16, 2021 hearing, the parties may seek a further extension of the briefing deadlines.